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SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND
PROTECTION OF MINORITIES

Fiftieth session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)* OF THE 8th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 7 August 1998, at 10 a.m.

Chairman: Mr. GUISSÉ

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* The summary record of the second part (closed) of the meeting appears as document E/CN.4/Sub.2/1998/SR.8/Add.1.

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GE.98-13567 (E)

The meeting was called to order at 10.07 a.m.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII) (agenda item 2) (continued) (E/CN.4/1998/124-E/CN.4/Sub.2/1998/2, E/CN.4/Sub.2/1998/26, 27, 33, 34 and 36; E/CN.4/Sub.2/1998/NGO/1)

Statements in exercise of the right of reply

1. Mr. VENU (Observer for India) said he wished to respond to the statement made the previous day by the Observer for Qatar on behalf of the States members of the Organization of the Islamic Conference (OIC). Firstly, in commenting on the internal situation in a region belonging to a country other than their own, namely, the State of Jammu and Kashmir, which was an integral part of India, the States members of OIC had flouted a long-standing decision of the Sub-Commission. It would have been more appropriate for them to provide information on the steps they were taking to improve the protection of human rights within their own respective national jurisdictions. Secondly, the allegations against India made by the States members of OIC, which were being used by one of their members to express partisan opinions that did not represent the views of the vast majority of the other members, were completely unfounded.

2. India was home to the second largest Muslim population in the world. Its 130 million Muslim citizens were equal participants in all aspects of the democratic life of the secular State of India. Like all the other states of India, the State of Jammu and Kashmir had a democratically elected government that was engaged in efforts to ensure its economic development. The main obstacle preventing that State's citizens from fully exercising their rights remained the role of one member of OIC in supporting, directing and instigating terrorism in India. In the light of the experience of several OIC States with regard to terrorism, India hoped that those States would urge the OIC member in question to abandon its role as a sponsor of terrorism.

3. Mr. EFTYCHIOV (Observer for Cyprus) said he noted that the Observer for Turkey had used much eloquence to absolve his country of its responsibility for human rights violations in Cyprus. He recalled that it was Turkey which had invaded Cyprus in 1974, which continued to occupy 37 per cent of Cypriot territory with 35,000 soldiers, which had made 200,000 Cypriots refugees in their own country, and which was responsible for the disappearance of 1,619 persons. Turkey's responsibilities had been clearly and amply confirmed by a whole series of United Nations resolutions. It was, moreover, shocking to hear the Observer for Turkey assert that the human rights situation in Cyprus was connected with intricate politics. Political differences, however intricate, should be settled by negotiation, but human rights should never be used as a bargaining counter. They should be respected and the reasons for their violation removed. Instead of attempting to defend the indefensible, Turkey would do better to heed world opinion and put an end to its violations of human rights.

4. Mr. WELDEGIORGIS (Observer for Eritrea) said that he did not intend to dignify with a comment the litany of wretched lies poured out yet again by Ethiopia. He would simply invite those concerned, especially the members of the Sub-Commission, to verify the facts on the ground or through independent sources. There were three points he wished to bring to the Sub-Commission's attention. Firstly, the root cause of the dispute between Eritrea and Ethiopia lay in Ethiopia's violation of Eritrea's colonial boundaries and its open use of military force to resolve the issue. Secondly, in its final communiqué on the conflict, the Ministerial Committee of the Organization of African Unity (OAU) had stated that it had been unable to establish that a systematic or official action had been directed against Ethiopians in Eritrea and had expressed its deep concern over the conditions in which the Government of Ethiopia had deported Eritreans. Thirdly, on the previous day, the Department of State of the United States of America had condemned the detention of Eritreans and the expulsion of Eritreans from Ethiopia and had called on the Government of Ethiopia to respect international human rights standards.

5. Eritrea had nothing to fear from a visit by observers on the ground since it had nothing to hide. He invited the delegation of Ethiopia to join his own delegation in an earnest search for peace and solemnly make a similar pledge of cooperation and transparency.

6. Mr. GETAHUN (Observer for Ethiopia), in support of an earlier statement that the Government of Eritrea should not appear before the Sub-Commission, let alone accuse Ethiopia of human rights violations, described the tragic fate of two Ethiopian families, one as a result of the indiscriminate air strikes by Eritrea on Mekelle, the other after the family's deportation from Eritrea. Those stories, which were only two examples of the atrocities committed by the Government of Eritrea, illustrated the cruelty of that Government and its hypocrisy in speaking of human rights and humanitarian law.

7. Mr. NAZARIAN (Observer for Armenia) described as pure propaganda the completely unfounded allegations made the day before by the Observer for Azerbaijan. A historical examination of the true reasons behind the rise of violence and the circumstances that had triggered the dramatic violations of all the fundamental rights of Armenians would give a completely different picture from the one that had been presented and would reverse the roles of aggressor and victim. Ever since Azerbaijan had appeared on the world map in 1918, it had committed gross violations of human rights, beginning with the large-scale 1918-1920 war against Nagorny Karabakh, which had led to the arbitrary deportation and mass killings of Armenians. In terms of distortion of historical reality, the height of absurdity had been reached with the Decree of the President of the Azerbaijan Republic on the Genocide of Azerbaijanis, the text of which had been circulated (E/CN.4/Sub.2/1998/26). That Decree, which was aimed at the Armenians, was an insult to the memory of all victims of genocide and, in particular, of the one and a half million Armenians massacred in 1915 in the Ottoman Empire.

8. The recognition and prevention of the crime of genocide occupied an important place on Armenia's human rights agenda, and his delegation condemned

Azerbaijan's attempt to mislead the international community by passing its people off as victims of genocide, thus diminishing and debasing the very notion of genocide.

9. Ms. EIVAZOVA (Observer for Azerbaijan) said she would confine herself to replying that, unlike Armenia, Azerbaijan had never had territorial claims on any country, had never declared war on another State, had never occupied foreign territory and had never destroyed homes or other buildings in other countries. Those facts would be sufficient to enable members of the Sub-Commission to decide which was the guilty party.

10. Mr. NAZARIAN (Observer for Armenia) replied that Armenia had never declared war on Azerbaijan. During the 70 years of the Soviet regime, the Armenians of Nagorny Karabakh had simply asserted their constitutional right to self-determination. Azerbaijan was desperately seeking to distract the international community's attention from the realities of the situation in Nagorny Karabakh. The Sub-Commission should no longer put up with such statements, which served only narrow national interests.

11. Ms. EIVAZOVA (Observer for Azerbaijan) recalled that the United Nations Security Council had adopted four resolutions requesting Armenia to withdraw its military forces from Azerbaijani territory and that several other international organizations had asked Armenia to cease its aggression against Azerbaijan.

12. The CHAIRMAN declared the debate on agenda item 2 closed.

The public part of the meeting rose at 10.30 a.m.